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States Government

Department of Energy

SEP 21 11 04 AM '92 Rocky Flats Office

# Memorandum

SEP 18 1992

ERD:BKT:10472

Technical Memorandum No. 6, Final Phase III RFI/RI Workplan for OU 1

Kathy Izell, Chief, Office of Chief Counsel

Please find attached a letter from CDH, dated August 5, 1992, regarding Technical Memorandum No. 6 to the Final Phase III RFI/RI Workplan for OU 1 on Exposure Scenarios for the Baseline Risk Assessment. This technical memorandum is a requirement of the RFP IAG.

The site physical data collected at OU 1 along with groundwater flow modeling indicate that the Quaternary Alluvium and Cretaceous Arapahoe Formation are not capable of supplying adequate water to support a domestic household. The Colorado Division of Water Resources, subdivision of the Colorado Department of Natural Resources and a state natural resource trustee for groundwater resources, has agreed with our determination. Their letter is also attached. As a result, DOE/RFO will not be considering direct exposure to groundwater in the Baseline Risk Assessment.

Note that the general comment in CDH's letter directs DOE/RFO to include direct groundwater exposure in the Baseline Risk Assessment. In support of their direction, they have referenced the Federal Register, Volume 52, Number 53, Thursday, March 19, 1987, pp. 8704 to 8709. It is my understanding that this Federal Register citation applies to RCRA closures. However, the RCRA process being implemented at OU 1 is RCRA Corrective Action for which no regulations exist. Note that RCRA closure does apply to OU's 4, 7, 9, 10 and 11.

We request that you review this matter and provide a determination whether CDH can impose RCRA closure regulations on RCRA Corrective Action activities. We further request that this determination be provided by October 1, 1992, so that we can meet our Draft RFI/RI Report deliverable date for OU 1 of October 28, 1992.

Questions concerning this memorandum should be directed to Bruce Thatcher of my staff at ext. 3532.

*Frazer R. Lockhart*  
Frazer R. Lockhart

Director  
Environmental Restoration Division

Attachments

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K. Izell  
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SEP 18 1992

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